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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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UNITED STATES OF AMERICA

V.

KEVIN HARDEN (8)

§  
§  
§

CASE NO. 4:11cr127  
Judge Crone

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On August 1, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant's *pro se* "Motion to Dismiss Indictment for Lack of Jurisdiction of the United States of America Constitution" (Dkt. #383) be denied.

The Court, having made a *de novo* review of Defendant's objections, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court. It is accordingly

**ORDERED** that Defendant's "Motion to Dismiss Indictment for Lack of Jurisdiction of the United States of America Constitution" (Dkt. #383) is **DENIED**.

SIGNED at Beaumont, Texas, this 22nd day of August, 2012.

*Marcia A. Crone*

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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE